

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

December 3, 2013

A G E N D A

1. Call to order.
2. Invocation and pledge of allegiance to the flag.
3. Adoption of agenda.
4. Approval of the November 19, 2013 Regular Business Meeting minutes.
5. PUBLIC COMMENT: Citizens will be given a three (3)-minute maximum time limit to speak before the Board of Commissioners about various topics, issues, and concerns. Following thirty minutes of hearing from the public, the Board of Commissioners will allow the remainder of citizens who have signed up to be heard at the next Tuesday business meeting.
6. PROCLAMATION: "Clayton County Honors QuikTrip Corporation in Recognition of Existing Industry Month" (presented by Chairman Jeffrey E. Turner).
7. PROCLAMATION: "Clayton County Honors H.H. Gregg in Recognition of Existing Industry Month" (presented by Chairman Jeffrey E. Turner).
8. PRESENTATION: *Clayton County Reconstituted Ethics Advisory Committee's Recommendations* (presented by Committee Chairman Larry O'Keeffe).
9. Consider requests of Theodis Locke, Director of Central Services/Risk Management. (NOTE: The entire Purchasing Ordinance for Clayton County, Georgia can be viewed on the MuniCode website. Citizens can access this website via the following website address: <http://library.municode.com/index.aspx?clientId=10562>.)
 - 1) **Purchase of IBM Hardware, State Contract, POR #00011309** (Soft Choice, located in Norcross, Georgia; \$104,990.00. Funding is available through Information Technology's budget), as requested by the Information Technology Department. O.C.G.A., § 50-5-100 states, "The Department of Administrative Services is authorized to permit local political subdivisions, on an optional basis, to purchase their supplies through the state." This allows the purchasing agent to utilize statewide contracts when this practice serves the best interest of Clayton County. The Clayton County Board of Commissioners make the final award for the state contract purchases of \$35,000.00 and greater.
 - 2) **Purchase of Cisco Equipment for the PSDN Tower Site, State Contract** (Soft

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Choice, located in Norcross, Georgia; \$124,293.36. Funding is available through the 2009 Countywide Public Safety Digital Network Design and Construction SPLOST project account), as requested by the Information Technology Department. O.C.G.A., § 50-5-100 states, "The Department of Administrative Services is authorized to permit local political subdivisions, on an optional basis, to purchase their supplies through the state." This allows the purchasing agent to utilize statewide contracts when this practice serves the best interest of Clayton County. The Clayton County Board of Commissioners make the final award for the state contract purchases of \$35,000.00 and greater.

3) **Purchase of Net App Storage Hardware, State Contract** (DLT Solutions, LLC, located in Herndon, Virginia; \$100,582.84. Funding is available through Information Technology's budget), as requested by the Information Technology Department. O.C.G.A., § 50-5-100 states, "The Department of Administrative Services is authorized to permit local political subdivisions, on an optional basis, to purchase their supplies through the state." This allows the purchasing agent to utilize statewide contracts when this practice serves the best interest of Clayton County. The Clayton County Board of Commissioners make the final award for the state contract purchases of \$35,000.00 and greater.

4) **Clayton County Library System Early Literacy Station, Student Learning Center and Afterschool Edge System, Sole Source Purchase** (AWE Digital Learning Solutions, located in Chester, Pennsylvania; \$33,000.00. Funding is available through the state MRR funds), as requested by the Library System. Per Section 2-136 (7) of the Clayton County Purchasing Ordinance, before making a determination of sole source procurement, Central Services must determine if other products or service providers can satisfy the procurement requirements. Sound procurement practice requires that sole source purchases be used when it is the only option and not as an attempt to contract with a favored service provider for a favored product. The purchasing agent requires all sole source providers to supply a letter stating that they are the sole source for a given product or service and why they are considered to be the sole source (technology, patents, etc.). All sole source purchases will be clearly defined when presented to the Clayton County Board of Commissioners.

5) **RFB Pkg. #10-37 Clayton County Transportation and Development Roadway Guardrail, Contract Amendment for 90-Day Contract Extension, First Amendment.** (Martin-Robbins Fence Company, located in Snellville, Georgia), as requested by the Transportation & Development Department. Per Section 2-136 (1) of the Clayton County

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Purchasing Ordinance, Clayton County utilizes the competitive sealed bid method when the costs of goods and services are in excess of \$25,000.00. The Clayton County Board of Commissioners has the final award approval for all non-budgeted bids \$35,000.00 and greater. All approved budgetary goods and services and annual contract purchases can be authorized by the Finance Director and purchased by the Director of Central Services without Board of Commissioners' approval.

6) **RFB Pkg. #11-27 Clayton County Deceased Body Removal Services, Annual Contract, Contract Amendment, Request for 4-month contract extension** (Watkins Funeral Home, Inc., located in Jonesboro, Georgia). Per Section 2-136 (6) of the Clayton County Purchasing Ordinance, Clayton County has developed annual contracts for frequently used items and services. These contracts are a result of a sealed bid. The contract allows the county to order goods and services directly from the awarded suppliers through the use of an annual contract document.

7) **RFB Pkg. #12-42 Clayton County Transportation & Development Concrete Sand Supply Annual Contract, Request for First Annual Renewal, Second Contract Amendment** (Foley Materials, Inc., located in Columbus, Georgia), as requested by the Transportation and Development Department. Per Section 2-136 (6) of the Clayton County Purchasing Ordinance, Clayton County has developed annual contracts for frequently used items and services. These contracts are a result of a sealed bid. The contract allows the county to order goods and services directly from the awarded suppliers through the use of an annual contract document.

8) **To renew the County's Fiduciary Liability Insurance for the period of December 22, 2013 – December 22, 2014.** The Fiduciary Liability Insurance provides insurance coverage for claims alleging breach of duty in the administration of the pension, deferred compensation and employee benefit plans. This includes coverage for any negligent act, error or omission in informing employees of the content of any sponsored and insured benefit plans. Those persons covered include the County's past, present or future elected officials, trustees, employees and others who are involved with these plans.

Clayton County has had an increase in the total assets under management of the retirement plans and the overall experience for these types of policies, as a group, has deteriorated over the last few years as a result of the declining investment market causing the County's premium rate

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to increase this year. Though the County's loss experience has been good, it has to share in the losses, to some extent for the entire industry just as it has received reductions in its rate during past years. The renewal premium with the County's current carrier will be at an 11% increase, a value of \$2,537.00, with all limits of coverage and deductibles the same. There will be a premium increase from \$24,059.00 to \$26,596.00. The County is still negotiating through its broker to try to obtain a lower rate with another carrier.

9) **To renew the Public Entity Excess Liability Insurance coverage for the period of December 31, 2013 – December 31, 2014.** The Public Entity Excess Liability Insurance provides coverage for claims against the County alleging bodily injury, property damage, public officials' liability, law enforcement liability, errors and omissions, employment practices liability, and employee benefits liability.

Risk Management recommends continuing coverage with the current carrier. The County has sustained one substantial claim that has exceeded its self-insured retention in the past five years. Underwriters frown on losses over the retained limit. The County has provided details of current policies and procedures to its broker, to negotiate with the current carrier and keep its premium increase down to 4%, a value of \$17,543.00. The premium will increase from \$453,799.00 to \$471,342.00.

10) **To renew the Property and Boiler and Machinery Insurance coverage for the period of January 1, 2014 – January 1, 2015.** The Property and Boiler and Machinery Insurance provides coverage on County-owned and leased buildings, their contents, owned and leased vehicles, and equipment.

Risk Management recommends purchasing property and boiler/machinery coverage through Travelers (incumbent carrier) with a total policy limit of \$200,000,000.00. This policy contains a primary deductible of \$100,000.00 per occurrence and covers properties owned or assumed through contract. The premium increase is 8% at a value of \$15,948.00 and is a result of losses paid by Travelers to the County on several different claims over the past eight (8) years. The premium will increase from \$184,581.00 to \$200,529.00.

11) **To purchase Aviation insurance coverage, including Aircraft, Airport Owners (Heliport) and associated liability coverage for the period of January 1, 2014 – January 1, 2015.** The Aviation Insurance will provide coverage for Clayton County's Pilots, Helipad,

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Aircraft and associated liabilities.

Risk Management recommends continuing coverage with the incumbent carrier, Ace Property and Casualty Insurance Company. One of the County's helicopters was upgraded with new equipment including: FLIR 8500 Camera System – \$285,007.00; Aerocomputers Moving Map System – \$60,622.00; Spectrolab SX16 Night Sun – \$48,274.00; ASU Night Vision Goggle Lighting Upgrades – \$41,500.00; and New Radar Altimeter – \$15,000.00 (Total – \$450,403.00).

This is a 42% increase in the value of the aircraft. The premium increase is 24% at a value of \$7,183.00 (increasing from \$30,255.00 to \$37,438.00).

10. Consider requests of Ramona Thurman, Chief Financial Officer.

1) Budget Amendment #-2-24 – Other General Government/FYE 6-30-14 – to carry forward encumbrances for Police vehicles budgeted in FY-2013 and paid in FY-2014, in the amount of \$107,912.00.

2) Budget Amendment #2-25 – Other General Government/FYE 6-30-14 – to amend the budget to replace one (1) undercover vehicle and one Police package vehicle whose repair cost exceeds the vehicle value, in the amount of \$62,000.00.

3) Budget Amendment #4-28 – Fund 307 – SPLOST Reimposition/FYE 6-30-14 – to amend the budget for funds to purchase and install a video surveillance system in each library branch, in the amount of \$98,000.00.

4) Request for Board approval to write off receivables amounting to \$102,549.69 from the Clayton County Board of Education that are deemed uncollectable resulting from the County providing School Resource Officers. The invoices date back to June of 2005 and June of 2007.

Items related to invoices are dated as follows:

June 2005 High School Invoice #57930 – \$31,243.72

June 2005 High School Invoice #57931 – \$18,955.74

June 2007 High School Invoice #57932 – \$33,391.37

June 2007 Alternative School Invoice #57933 – \$4,604.96

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June 2007 Middle School Invoice #57934 – \$14,346.90

11. Ordinance 2013-289 (*2nd Reading*) – An Ordinance adopted under the Home Rule Powers granted to Clayton County pursuant to Article IX, Section II, Paragraph I of the Constitution of the State of Georgia of 1983, amending the Clayton County Code of Ordinances, and specifically relevant sections of the Clayton County Civil Service Act and the Civil Service Rules and Regulations pertaining thereto; to provide for the creation of the unclassified position of Manager of Capital Improvements; to provide an effective date of this ordinance; etc.
12. Ordinance 2013-290 (*2nd Reading*) – An Ordinance adopted under the Home Rule Powers granted to Clayton County pursuant to Article IX, Section II, Paragraph I of the Constitution of the State of Georgia of 1983, amending the Clayton County Code of Ordinances, and specifically relevant sections of the Clayton County Civil Service Act and the Civil Service Rules and Regulations pertaining thereto; to provide for the creation of the unclassified position of Kinship Care Leader; to provide an effective date of this ordinance; and for other purposes.
13. Resolution 2013-304 – A Resolution providing for the additional duties for the Chief Operating Officer (COO); to provide an effective date of this resolution; and for other purposes.
14. Resolution 2013-305 – A Resolution authorizing Clayton County to accept a donation from Central Georgia Electric Membership Corporation on behalf of the Clayton County Department of Economic Development; to authorize the Chairman to accept the donation on behalf of Clayton County and to otherwise perform all acts necessary to accomplish the intent of this resolution; to authorize the Chief Financial Officer to amend the budget where necessary to reflect an appropriate revenue source and expense, all as may be required; etc.
15. Resolution 2013-306 – A Resolution authorizing Clayton County to allow Church of the Harvest to sponsor and host a 5K Walk which will commence from and finish at the Gerald Matthews Complex; to authorize the Chairman to perform all acts necessary to accomplish the intent of this resolution; to provide an effective date of this resolution; and for other purposes.
16. Resolution 2013-307 – A Resolution to enter into a License Agreement with Caribbean Association of Georgia, Inc. to host the “Atlanta Caribbean Cultural Festival” at the Clayton County International Park; to authorize the Chairman to perform all acts necessary to accomplish the intent of this resolution; to authorize the Chief Financial Officer to amend the budget where and when necessary to reflect appropriate revenue sources and expenses, etc.

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17. Resolution 2013-308 – A Resolution to approve a Special Facility Use Request to allow Sam's Club (Morrow) and Sam's Club (McDonough) to host holiday celebrations for their associates at the International Park; to authorize the Chairman to perform all acts necessary to accomplish the intent of this resolution; to provide an effective date of this resolution; etc.
18. Resolution 2013-309 – A Resolution authorizing Clayton County to accept a forfeited vehicle (2005 Nissan Altima) from a Clayton County Police Department drug investigation; to authorize the sale of such property in a manner as will be in the best interest of the County; to provide for the disbursement of sale proceeds; to authorize the Chief Financial Officer to amend the budget where necessary to reflect an appropriate revenue source and expense; etc.
19. Resolution 2013-310 – A Resolution authorizing the acceptance of one condemned vehicle (2008 Dodge Charger) to be assigned to the Police Department fleet in a manner as will be in the best interest of the County; to authorize the Directors of Central Services and Fleet Maintenance to perform all acts required by this resolution; to provide an effective date of this resolution; etc.
20. Resolution 2013-311 – A Resolution of the Clayton County Board of Commissioners approving a tax abatement to Duke Realty Limited Partnership for the purposes of incentivizing new jobs and investment in Clayton County; to authorize the Chairman to execute any necessary documents and to otherwise perform all other acts necessary to accomplish the intent of this resolution; to authorize the Chief Financial Officer to amend the budget as needed to reflect an appropriate revenue source and expense; to provide an effective date of this resolution; etc.
21. Resolution 2013-312 – A Resolution of the Clayton County Board of Commissioners approving a tax abatement to Recycled Shingles Solutions, LLC, for the purposes of incentivizing new jobs and investment in Clayton County; to authorize the Chairman to execute any necessary documents and to otherwise perform all other acts necessary to accomplish the intent of this resolution; to authorize the Chief Financial Officer to amend the budget as needed to reflect an appropriate revenue source and expense; to provide an effective date of this resolution; etc.
22. Resolution 2013-313 – A Resolution authorizing Clayton County to enter into a professional services contract with Expert Discovery, LLC, to audit the monthly E-911 service fee collected by telephone service providers from their customers; to authorize the Chairman to execute the agreement and to otherwise perform all other acts necessary to accomplish the intent of this resolution; to authorize the Chief Financial Officer to amend the budget where necessary to reflect an appropriate revenue source and expense, all as may be required; etc.
23. Resolution 2013-314 – A Resolution authorizing Clayton County to enter into five utility

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relocation agreements with Georgia Power for the relocation of utilities associated with the Panola Road, Mt. Zion Boulevard, Clark Howell at State Route 85, Norman Drive, and CR 1350/Anvilblock Road Widening Projects; to authorize the Chairman to execute the agreements on behalf of the County and otherwise to perform all other acts necessary to accomplish the intent of the resolution; to authorize the Chief Financial Officer to amend the budget where necessary to reflect an appropriate revenue source and expense, all as may be required under the terms of the agreements; to provide an effective date of this resolution; and for other purposes.

24. Resolution 2013-315 – A Resolution authorizing Clayton County to enter into a contract with the Georgia Department of Human Services, Department of Family and Children Services, on behalf of Clayton County Senior Services and, in accordance therewith, to authorize a grant period for the provision of Kinship Care services as described in the FY-2014 Promoting Safe and Stable Families proposal (October 1, 2013 to September 30, 2014); to authorize the Chairman to execute the contract, and otherwise perform all acts necessary to accomplish the intent of this resolution; to authorize the Chief Financial Officer to amend the budget where necessary to reflect an appropriate revenue source and expense, and to transfer any required match of local funds, all as may be required under the terms of the agreement (allocated federal grant funds are in the amount of \$61,083.00, with a match from Clayton County in the amount of \$20,361.00); etc.
25. Order for Remission: State of Georgia vs. Shelly L. Sellers & Jam Bonding Co., Inc.; \$5,415.00.
26. Consider requests of Renee Bright, Director of Human Resources.

1) Request to approve the recommendation of a “Comprehensive Voluntary Benefits” package for employees that will include the current plans for Long Term Disability, Group Basic and Voluntary Life, and Vision along with additional plans for Short Term Disability, additional Group Voluntary Life, a Critical Illness policy, and a Flexible Spending Account.

An employee committee was formed to meet with the County’s Voluntary Benefits Broker to receive education on voluntary benefits and to determine what types of benefits were important and desired by the employees. The committee recommends retaining certain benefits with existing companies, dropping certain plans, and adding new plans and types of coverage. Plans that will be no longer offered through the County can be converted to direct pay plans and employees can retain these if they choose to do so.

These benefits are voluntary plans and will not be an impact on the budget, with the exception

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of basic life which the County pays the majority of the premium. The Flexible Spending Account is also a voluntary benefit; however, there is an administrative fee of \$3.45 per participating employee per month that the County would be responsible for. This fee, however, will be offset by the savings the County will realize in FICA taxes (7.65%) since this will be a pre-tax benefit and the County will not have to pay this tax on the amount contributed to the account. This FSA would be set up as part of the Self-Funded Medical Account. The Hartford will provide Employee Assistance Program (EAP) services at no charge since the County will have multiple plan offerings through it. This will save the County approximately \$44,000.00 annually.

2) Request to approve the reclassification of three (3) positions in the Police Department as follows:

1. Reclassify Special Agent-in-Charge (Grade 31; org #3101) to Police Major (Grade 31; org #3101).
2. Reclassify Assistant Special Agent-in-Charge (Grade 28; org #3101) to Police Captain (Grade 28; org #3101).
3. Reclassify Special Agent-in-Charge (Grade 28; org #3001) to Police Captain (Grade 28; org #3001). {NOTE: This request for reclassification of the three (3) positions will standardize management titles throughout the department. There will be no budgetary impact on the County.}

3) Request to create two (2) Full-Time unclassified positions, two (2) part-time afterschool aides, four (4) Temporary part-time tutors, and one (1) Licensed Counselor for a grant funded Afterschool Program and Behavior Management Counseling at Kinship. Funding sources are HUD, Promoting Safe and Stable Families, and Atlanta Regional Commission.

The salaries for these positions are listed as follows:

Kinship Care Leader/Grade 12-1, **Base Salary** – \$25,102.00 **with fringe** – \$36,596.00

Kinship Care Leader Afterschool/Grade 12-1, **Base Salary** – \$25,102.00 **with fringe** – \$36,596.00

Two (2) Part-time Temporary Afterschool Program Aides at \$9.00/hr.

Four (4) Part-time Temporary Tutors at \$15.00/hr.

One (1) Kinship Care Professional Counselor (Licensed Professional Counselor) at \$54.00/hr.

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Kinship has been funded by HUD and PSSF to provide Afterschool programs for youth in grades K-5th grade and tutoring for all grades. PSSF funds were also received to provide Behavior Management Counseling services; to be administered in conjunction with Summer Camp. All grant requirements must be met. Afterschool activities will provide working caregivers a safe place for children to stay, while working. The program will provide homework assistance, tutoring, recreational and life enrichment activities in a structured daily program. Individual tutoring helps youth who are struggling academically to improve and excel. Weekly Behavior Management Counseling will help curb negative behaviors and allow youth and teens to find positive ways to express their feelings, wants and needs.

Kinship received \$157,806.00 in grant funds.

HUD – \$50,000.00

PSSF – \$81,444.00

ARC – \$26,362.00

{NOTE: The only impact on the county budget is for the PSSF grant, in the amount of \$20,361.00.}

EXECUTIVE SESSION

27. Consider any act(s) necessary based on decision(s) made in the Executive Session.